

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DAVID ROBIN WHITMORE,)
vs.)
Petitioner,)
vs.) Case No. CIV-10-1347-M
JUSTIN JONES, Director,)
vs.)
Respondent.)

ORDER

On August 31, 2011, United States Magistrate Judge Valerie K. Couch issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2241, seeking a writ of habeas corpus. The Magistrate Judge recommended that the amended petition for habeas corpus be denied. Petitioner was advised of his right to object to the Report and Recommendation by September 21, 2011. After being granted an extension on October 5, 2011 petitioner filed his objection, objecting to the Report and Recommendation.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on August 31, 2011;
- (2) DENIES petitioner's amended petition [docket no. 15] and
- (3) ORDERS that judgment issued forthwith in favor of defendant Justin Jones.

IT IS SO ORDERED this 7th day of October, 2011.


VICKI MILES-LAGRANGE
CHIEF UNITED STATES DISTRICT JUDGE